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PTO/SB/30 (8/2000)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995,  
See the American Inventors Protection Act of 1999 (AIPA)

Application Number	09/841,908
Filing Date	April 25, 2001
First Named Inventor	Bruce L. Bruso
Group Art Unit	3673
Examiner Name	Katherine W. Mitchell
Attorney Docket Number	151783/9079-6US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

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### 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii. ☐ Other
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☒ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other

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### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0573
  - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii. ☒ Any additional fee found to be due in connection with this submission.
- b. ☒ Check in the amount of \$ 430.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John J. Marshall	Registration No. (Attorney/Agent)	29,671
Signature	<i>John J. Marshall</i>	Date	05 March 2003

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX RCE, Commissioner for Patents, Washington, D.C. 20231.

Name (Print/Type)	Eileen S. Murray	Date	3-5-03
Signature	<i>Eileen S. Murray</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of : Attorney Docket No.:  
Bruce L. Bruso : 151783/9079-6US  
Serial No.: 09/841,908 : Group Art Unit:  
Filed: April 25, 2001 : 3673  
For: METHOD OF IN-SITU SOIL REMEDIATION : Examiner:  
FOR VOLATILE ORGANIC COMPOUNDS. : Mitchell, Katherine W.

RESPONSE TO SECOND OFFICE ACTION

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

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Sir:

This is in response to the Office Action mailed November 5, 2002 with regard to the above-identified application. Submitted herewith is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. Applicant requests that the finality of the Office Action be withdrawn and that the rejections be reconsidered in view of the following remarks.

The RCE and this response are being timely filed within the first month following the shortened period set for reply in the Office Action. A check in the amount of \$430.00 is enclosed to cover the small entity fees for the RCE (\$375.00) and a one-month extension of time until March 5, 2003 (\$55.00). If there are additional fees incurred by this Response, please charge, or credit any overpayment, to Deposit Account 50-0573.

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

BY

DATE:

3-5-03